

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LISA GUSTAFSON FEIS, *et al.*,

Plaintiffs,

v.

KEITH MAYO, *et al.*,

Defendants.

Case No. C23-462-MLP

ORDER

This matter is before the Court on Plaintiffs’ “Request to Stay Deadlines.” (Request (dkt. # 91).) What relief Plaintiffs seek is not entirely clear.¹ Plaintiffs “request that the court enter an order staying the ruling on the motions” currently pending before this Court. (*Id.* at 1.) Plaintiffs also “request that the deadlines be stayed until April 16th, 2024, to allow for the final and careful drafting of the motions and exhibits[.]” (*Id.* at 3.)

Currently pending before the Court are: (1) Defendants Proliance Orthopaedics & Sports Medicine (“Proliance”) and Dr. Christopher Boone’s Motion for Summary Judgment (dkt. # 68); (2) Swedish First Hill’s (“Swedish”) Motion to Compel (dkt. # 72); and (3) Swedish and Dr.

¹ Plaintiffs’ proposed order adds no clarity, as it does not appear to relate to the Request at all. (*See* dkt. # 92 (ordering “the deadline to submit expert witness reports is February 7, 2024.”).)

1 Keith Mayo’s Renewed Motion for Summary Judgment (dkt. # 80).² Plaintiffs filed an
2 opposition to Proliance and Dr. Boone’s motion for summary judgment (dkt. # 71) but did not
3 file any response to the other two motions. Oral argument on all three motions is currently
4 scheduled for April 19, 2024. (Dkt. # 89.)

5 Plaintiffs state they “have several motions to file” but do not indicate the nature of the
6 motions or whether such motions relate to any of the pending motions. (Request at 2.) It is also
7 unclear whether Plaintiffs have met their obligation to meet and confer with opposing parties
8 prior to filing a motion. *See* Peterson Chambers Procedures, *available at*
9 <https://www.wawd.uscourts.gov/judges/peterson-procedures> (last visited April 12, 2024).
10 Plaintiffs state “[t]he parties met” on April 10, 2024, but apparently did not finish conferring.
11 (Request at 2.) Plaintiffs intend to send Defendants “a draft of the proposed order” on April 15,
12 2024, to determine whether “the parties can agree on most or all of the documents that should be
13 sealed or stricken.” (*Id.* at 3.) Plaintiffs intend to then file the motion with the Court on April 15,
14 2024. (*Id.*)

15 The Court will not issue a ruling on the currently pending motions until after oral
16 argument is held on April 19, 2024. To the extent Plaintiffs request the Court stay a ruling, such
17 request is moot and will be denied.

18 Plaintiffs indicate they seek an extension of unspecified deadlines. (Request at 3.)
19 Plaintiffs’ response to Swedish First Hill’s Motion to Compel was due March 18, 2024. *See*
20 Local Civil Rule (“LCR”) 7(d)(3); dkt. # 72. Plaintiffs’ response to Swedish First Hill and Dr.
21 Keith Mayo’s Renewed Motion for Summary Judgment was due April 8, 2024. *See* LCR (d)(3);
22 dkt. # 80. “A schedule may be modified only for good cause and with the judge’s consent.” LCR
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² Plaintiffs also refer to a motion that has been withdrawn. (Request at 1; *see* dkt. ## 74, 88.)

1 16(b)(6). To the extent Plaintiffs may be requesting to file late responses, they have not shown
2 good cause for why they could not file timely responses.

3 To the extent Plaintiffs may be requesting an extension of time to file unspecified
4 motions, it is unclear whether an extension is needed. Plaintiffs refer to sealing or striking
5 documents. (Request at 3.) If Plaintiffs seek to limit documents that can be used at trial, the
6 deadline for motions in limine is July 22, 2024. (Dkt. # 49.) Such a request is moot and will be
7 denied on that basis. To the extent Plaintiffs seek to file motions for deadlines that have passed,
8 they have not shown good cause, and the request will be denied on that basis.

9 Plaintiffs' request appears to be either moot or unsupported by good cause. Accordingly,
10 Plaintiffs' request (dkt. # 91) is DENIED without prejudice.

11 Dated this 12th day of April, 2024.

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13 MICHELLE L. PETERSON
14 United States Magistrate Judge
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